

REMARKS

This paper is responsive to a Non-Final Office action dated April 26, 2006. Claims 1-30 were examined. Claim 28 has been cancelled. Claim 29 has been amended.

Claim Rejections – U.S.C. §101

Claims 1-30 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. The burden is on the Office to set forth a *prima facie* case of unpatentability, requiring the Office to explain why the claims fall outside all of the statutory subject matter categories.

Claims 1 and 7 each recite a tool embodied in a computer readable medium. Claim 25 recites a computer program product encoded in a machine readable medium. The Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility (“Interim Guidelines”) state that “a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.” The Interim Guidelines also state that “[w]hen a computer program is recited in conjunction with a physical structure, such as a computer memory, USPTO personnel should treat the claim as a product claim.” Hence, claims 1, 7, 25, and their corresponding dependent claims are statutory product claims.

Applicant respectfully submits that claim 12 is also directed to statutory subject matter under 35 U.S.C. §101. Applicant respectfully submits that the claim 12 fall into one of the subject matter categories expressly enumerated in 35 U.S.C. §101, which states

Whoever invents or discovers **any new and useful process**...may obtain a patent therefor, subject to the conditions and requirements of this title.

The courts have repeatedly emphasized the expansive language of this statute with the exception that a process claim directed to nothing more than abstract ideas, such as mathematical algorithms, natural phenomena, and laws of nature are not eligible for patent protection. It should be clear that claim 12 is not directed to abstract ideas, natural phenomena, or laws of natures. Claim 12 recites “rendering a display presentation,” “recognizing interactive entry of an

opening boundary token,” and “creating a second lexical context operative for subsequent interactive entry at the insertion point.” Rendering a display presentation cannot reasonably be characterized as an abstract idea, natural phenomena, or law of nature. Recognizing interactive entry of an opening boundary token also cannot reasonably be characterized as an abstract idea, natural phenomena, or law of nature. Creating a second lexical context operative also cannot reasonably be characterized as an abstract idea, natural phenomena, or law of nature. Claim 12 and its corresponding dependent claims are directed to statutory subject matter.

Claims 28 and 29 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Although Applicant’s representative disagrees with the Interim Guidelines, Applicant has cancelled claim 28 and amended claim 29. Claim 29 still recites “a network medium, and wireline medium” since these are not directed solely to a carrier wave. For example, copper wires, Ethernet cables, etc., have physical structure.

Claim 30 is rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claim 30 recites a “computer system.” A computer system is statutory subject matter and should be treated as a statutory machine claim under 35 U.S.C. §101.

Claims 1 – 30 are directed to statutory subject matter. Applicant respectfully requests the rejections be withdrawn.

In summary, claims 1-30 are in the case. All claims are believed to be allowable over the art of record, and a Notice of Allowance to that effect is respectfully solicited. Nonetheless, if any issues remain that could be more efficiently handled by telephone, the Examiner is requested to call the undersigned at the number listed below.

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Respectfully submitted,



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